

# LAWS OF MISSOURI

PASSED AT THE SESSION OF THE  
*Fifty-First General Assembly*

WHICH CONVENED AT THE  
*City of Jefferson*  
WEDNESDAY, JANUARY 5, 1921



*(By Authority)*

COMPILED BY  
**CHARLES U. BECKER,**  
SECRETARY OF STATE

*In compliance with section 7068  
Revised Statutes, 1919.*

**Sec. 4868. Ballots to be delivered to voter—to be marked how.**—On any day of election any person desiring to vote shall give his name, and if required to do so, his residence, to the judge of election, one of whom shall thereupon announce the same in a loud and distinct tone of voice, clear and audible; and where there is a registration of voters if such name is found in the register of voters by the officer having charge thereof, he shall likewise repeat said name and the voter shall be allowed to enter the space enclosed by the guard rail. One of the judges shall give the voter one, and only one, ballot, on the back of which two judges of opposite politics shall indorse their initials with ink or indelible pencil in such manner that they may be seen when the ballot is properly folded, and voter's name shall be immediately checked on the register list. All ballots shall be delivered in the consecutive order of their numbering. All elections where a registry is required no voter shall receive a ballot until his name is found on the register of voters. If any person desiring to vote at any election shall be challenged, he shall not receive a ballot until he shall have established his right to vote in the manner provided by law; and if he shall be challenged after he has received his ballot, he shall not be permitted to vote until he has fully complied with such requirements of the law. Any person shall be deemed to be guilty of the offense of personation who at any election applies for a ballot in the name of some other person, whether it be that of a person living or dead, or of a fictitious person, or who having voted once at the election applies at the same election for a ballot in his own name; and on conviction thereof such person shall be punished by imprisonment in the penitentiary for not less than two nor more than three years.

**Sec. 4. Repealing section 4869 and enacting new section.**—That section 4869, article 6, chapter 30, Revised Statutes of Missouri, 1919, is hereby repealed, and a new section enacted in lieu thereof, to be known as section 4869, and to read as follows:

**Sec. 4869. Voting—voters shall proceed—how.**—On receipt of his ballot the voter shall forthwith, and without leaving the enclosed space, retire alone to one of the voting booths so provided, and shall prepare his ballot for voting in the following manner: Should the voter desire to vote a "straight" party ticket he shall place a cross (X) mark in the circle immediately below the party name or name of vice-presidential candidate. If the voter desires to vote for one or more candidates on more than one party ticket, by voting what is commonly called a "split ticket" he may place a cross (X) mark in the circle immediately below one party name and mark cross (X) marks in the squares at the left of the names of candidates on other tickets for whom he wishes to vote. If the voter desires to vote for one or more candidates whose name or names do not appear on the printed ballot he may do so by drawing a line through the printed name of candidate for such office, and writing below such canceled name the name of the person for whom he desires to



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vote, and placing a cross mark in the square at the left of such name. The squares so marked shall take precedence over the cross marked in the circle. Where there are two or more candidates for like office in a group a cross (X) mark in the square to the left of a candidate's name, automatically votes against the candidate whose name appears within the same horizontal lines in the column under the circle in which appears the cross (X) mark unless the voter indicates another candidate to be voted against by drawing a line through such candidate name. All candidates of the party whose circle is marked shall be counted as voted for excepting where squares are crossed preceding the names of the candidates in other columns if two or more candidates for the same office are thus designated, neither shall be counted. If the cross (X) is not placed in the circle immediately below the party name at the head of the column, but does appear in the squares opposite the various candidates' names, then only these names shall be counted for, and none other. A cross (X) mark is any line crossing any other line at any angle within the voting space, and no ballot shall be declared void because a cross (X) mark therein is irregular in form. It shall not be lawful to deface or tear a ballot in any manner nor to erase any printed name "except as provided above in this section," figure, word or letter therefrom, nor to erase any mark made thereon by such voter, nor inclose in the folded ballot any other paper or any article. If the voter deface or tear a ballot, or wrongly mark the name or make an erasure therein, he may obtain one additional ballot on returning to the ballot clerk the one so defaced or wrongly marked. A ballot placed in the ballot box without any mark shall not be counted. Ballots shall be counted only for the person for whom the marks are thereon are applicable; when a voter shall place a mark against two or more names for the same office, and only one candidate is to be chosen for the office none of the candidates shall be deemed to have been voted for and the ballots shall not be counted for either such candidate. Before leaving the booth the voter shall fold his ballot in such a manner as to conceal his marks thereon. He shall mark his ballot without undue delay. He shall then hand the ballot to the judge of election selected to take ballots, who shall number the ballot and deposit it in the ballot box. The voter shall quit and leave said enclosed place as soon as possible.

**Sec. 5. Enacting new section to be known as section 4891a.** There is hereby enacted a new section to be known as section 4891a and to read as follows:

**Sec. 4891a. Voter shall be deemed guilty of misdemeanor—when—penalty.**—Any voter who shall, except as herein otherwise provided, allow his ballot to be seen by any person with an apparent intention of letting it be known how he is about to vote, or who shall knowingly make a false statement as to his inability to mark his ballot, or any person who shall interfere, or attempt to interfere, with any voter when inside said enclosed